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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/537,323	08/20/2005	Daniel Lecomte	LMC-05-1145	3224
35811 7590 09/07/2010 IP GROUP OF DLA PIPER LLP (US) ONE LIBERTY PLACE 1650 MARKET ST, SUITE 4900 PHILADELPHIA, PA 19103				
EXAMINER				
SCHEIBEL, ROBERT C				
ART UNIT		PAPER NUMBER		
2467				
NOTIFICATION DATE		DELIVERY MODE		
09/07/2010		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

pto.phil@dlapiper.com

<b>Examiner-Initiated Interview Summary</b>	<b>Application No.</b> 10/537,323	<b>Applicant(s)</b> LECOMTE ET AL.	
	<b>Examiner</b> ROBERT C. SCHEIBEL	<b>Art Unit</b> 2467	

  

**All Participants:**

(1) ROBERT C. SCHEIBEL

(2) Erin Pacella (Reg. No. 56,239)

**Date of Interview:** 24 August 2010

**Type of Interview:**

☒ Telephonic

☐ Video Conference

☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☐ No

If Yes, provide a brief description: .

**Part I.**

Rejection(s) discussed:

  

Claims discussed:

20-38

  

Prior art documents discussed:

U.S. 2003/0222994 to Dawson

**Part II.**

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

*See Continuation Sheet*

**Part III.**

☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.

☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

  
  
  
  
  
  
  
  
  
  

/ROBERT C. SCHEIBEL/  
Examiner, Art Unit 2467

**Status of Application:** Pending

(3) \_\_\_\_\_

(4) \_\_\_\_\_

**Time:** 11:00

  
  
  
  
  
  
  
  
  
  

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: Examiner acknowledged that the foreign priority date of the application is before the effective U.S. filing date of the primary reference used in the last office action (U.S. 7,382,969 to Dawson). However, Examiner noted that U.S. 2003/0222994 to Dawson is very similar to the '969 patent. Examiner indicated that a similar rejection would likely be made with the '994 publication and offered either claim 29 or 35 (if re-written in independent form) as allowable subject matter.

Ms. Pacella will contact the client and respond by 8/31/2010.